

Tufone, Inc.

73 Ferry Street
Newark, NJ 07105
973-954-5800

Subscriber Acknowledgement Report (9/1/05)

Interconnected Voice Over
Internet Protocol Service Providers

September 1, 2005

WC Docket No. 04-36
WC Docket No. 05-196

As required on behalf of Tufone, Inc., the following information is provided.

- *A detailed explanation regarding current compliance with the notice and warning sticker requirements if the provider did not notify and issue warning stickers or labels to 100% of its subscribers by the July 29, 2005 deadline. Providers expected to update this information include those that were in the process of providing notice and/or stickers to their subscribers, but had not completed the process by July 29, 2005.*

Each and every provider has received a warning sticker, either by mail prior to the August 10th report and upon subscribing to our service. Currently every ATA device that leaves our office has the warning label attached to it.

- *A quantification of the percentage of the provider's subscribers that have submitted affirmative acknowledgements as of the date of the September 1 and September 22 reports, and an estimation of the percentage of subscribers from whom the provider does not expect to receive an acknowledgement by September 28, 2005;*

To date we have 46 registered users. Out of these, 45 have affirmative acknowledged the 911 limitations. We expect that 100 per cent of our customers will affirmative acknowledge said 911 limitations.

- *A detailed description of any and all actions the provider plans to take towards any of its subscribers that do not affirmatively acknowledge having received and understood the advisory; and,*

Any subscriber that does not affirmatively acknowledge having received a notice by the deadline of September 28, 2005 will receive a “soft” disconnect as described below. However, please note the following as additional efforts to comply:

1. Every ATA box sent to a customer includes a letter clearly detailing the limitations on 911. A copy of this letter your office received with out original pre 8/10 filing. The ATA box is by UPS with a request for signature delivery. When the signed document is returned we keep them in a folder in alphabetical order. In the event another member of the household signed the document, our other procedures described herein will obtain affirmative acknowledgement from the customers.
 2. To date all of our customers have retained our services through the telephone. As soon as a customer is registered, the 911 limitations are explained to them, the address for 911 is obtained and placed into the record. They are then told that they have to go online, log on and acknowledge their understanding in their user page. If they fail to do so, when they attempt to make a call a short message will notify them that unless they complete this action by September 28, 2005, they will not be able to make any calls except to 911.
- *A detailed description of any and all plans to use a “soft” or “warm” disconnect (or similar) procedure for subscribers that fail to provide an affirmative acknowledgement by September 28, 2005. The Bureau notes that in their August 10, 2005 reports some providers, such as Telephone, Inc. and Broadview Networks, Inc., state that they will use a “soft” disconnect procedure to disconnect those subscribers that ultimately do not acknowledge having received and understood the customer advisory. As the Bureau understands it, the soft disconnect procedure will either disallow all non-911 calls or intercept and send those calls to the provider’s customer service department. Under this*

“soft” disconnect procedure, however, calls to 911 will continue to go to the appropriate Public Safety Answering Point (PSAP). A provider’s September 1 and September 22 reports must include either a statement that the provider will use a “soft” or “warm” disconnect (or similar) solution as of September 28, 2005, or a detailed explanation of why it is not feasible for the provider to use a “soft” or “warm” disconnect solution, as described above.

We plan to use a “soft” disconnect procedure for subscribers that fail to provide an affirmative acknowledgement by September 28, 2005. The soft disconnect procedure will disallow all non-911 calls **AND** intercept and send those calls to the customer service department. Under this “soft” disconnect procedure, however, calls to 911 will continue to go to the appropriate Public Safety Answering Point (PSAP).

STATEMENT

Tufone, Inc will use a “soft” disconnect solution as of September 28,
2005

Very truly yours,

/s/ **Moses Apsan**

Moses Apsan
President
Tufone, Inc.

cc:

Byron McCoy, Telecommunications Consumers Division, Enforcement
Bureau, Federal Communications Commission

Kathy Berthot, Deputy Chief, Spectrum Enforcement Division,
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